IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

FRIDAY, THE 23RD FEBRUARY 2007 / 4TH PHALGUNA 1928

WP(C).No. 6186 of 2007(J)

PETITIONER:

RONEY ROSE, W/O.LATE K.J.TOMY EDISON,
KATTUPARAMBIL HOUSE, 7, THATTAMPADY,
KARUMALLOOR, PARAVUR, ERNAKULAM.

BY ADV. SRI.VARGHESE C.KURIAKOSE
SRI.PRAVEEN K. JOY

RESPONDENTS:
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1. THE TAHSILDAR,
TALUK OFFICE, PARAVUR.

2. THE VILLAGE OFFICER,
KARUMALLUR VILLAGE.

BY GOVT. PLEADER SRI.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 23/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B.RADHAKRISHNAN, J

W.P(C).No.6186 OF 2007

Dated this the 23rd day of February, 2007

JUDGMENT

It is most unfortunate that a widow, with an order of this Court in her favour for getting the terminal benefits of her late husband, is still here refusing. Ext.P1 judgment was issued recording the undertaking of the Cochin Refineries that the terminal benefits would be released to the petitioner on her producing the heirship certificate. The application for heirship certificate was filed with a copy of the marriage certificate, death certificate and relationship certificate. Relationship certificate is issued by none other than the Village officer. It is most inappropriate that the Tahsildar did not take an administrative view of the matter and only issued Ext.P5 requiring a further application to be filed with the affidavits of two neighbours.

2. In the aforesaid circumstances, this writ petition is

disposed of directing that the Tahsildar will issue the heirship certificate to the petitioner provisionally, within a period of two weeks from the date of receipt of a copy of this judgment, along with an application in any prescribed format and affidavits of two neighbours, subject to the final certificate being issued after further steps in accordance with the rules.

The writ petition is disposed of with the above direction.

THOTTATHIL B.RADHAKRISHNAN
Judge

kkb.